

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**SMITHFIELD FOODS, INC.,
PATRICK CUDAHY, INC.,
ALLIANZ GLOBAL RISKS US INSURANCE
COMPANY,
ACE AMERICAN INSURANCE COMPANY,
GENERAL SECURITY INDEMNITY
COMPANY OF ARIZONA,
LIBERTY MUTUAL FIRE INSURANCE
COMPANY,
TOKIO MARINE AND NICHIDO FIRE
INSURANCE COMPANY, LTD., and
CERTAIN UNDERWRITERS OF LLOYD'S
LONDON AND ITS MEMBERS SUBSCRIBING
TO CONTRACT NO. DP685509(1), UNIQUE
MARKET REFERENCE B0509685509,**

Case No. 13-C-651

Plaintiffs,

-vs-

UNITED STATES OF AMERICA,

Defendant.

SCHEDULING ORDER

During the scheduling conference held by telephone in the above-entitled action on December 9, 2014, the plaintiffs, appearing by Attorneys Alyssa J. Endelman, Charles R. Tuffley, and Todd B. Denenberg, and the defendant, appearing by Attorneys Robin Doyle Smith and J. Steven Jarreau, agreed to the entry of the following order.

IT IS ORDERED that:

1. On June 15, 2015, at 2:30 p.m., the Court will initiate and conduct a final pretrial conference call. Pursuant to Civil L. R. 16(c), each party must serve and file a final pretrial report in compliance with the Pretrial Report Order attached hereto and incorporated herein.

2. This case will be tried to the Court. This case will be called for trial at 9:00 a.m. on June 29, 2015. The trial is estimated to last fourteen (14) days.

Dated at Milwaukee, Wisconsin this 11th day of December, 2014.

BY THE COURT:



Hon. Rudolph T. Randa
U.S. District Judge

PRETRIAL REPORT ORDER

IT IS ORDERED that each party must file a pretrial report. Reports are due at least 14 days before the scheduled start of the trial or, if a final pretrial conference is scheduled, 7 days before the conference. The report must be signed by the attorney (or a party personally, if not represented by counsel) who will try the case. Sanctions, which may include the dismissal of claims and defenses, may be imposed if a trial report is not filed.

The report must include the following:

1. A short summary, not to exceed 2 pages, of the facts, claims and defenses;
2. A statement of the issues;
3. The names and addresses of all witnesses expected to testify. Any witness not listed will not be permitted to testify absent a showing of good cause;
4. A statement of the background of all expert witnesses listed;
5. A list of exhibits to be offered at trial sequentially numbered according to General L.R. 26 where practicable;
6. A designation of all depositions or portions of transcripts or other recordings of depositions to be read into the record or played at trial as substantive evidence. Reading or playing more than 5 pages from a deposition will not be permitted unless the Court finds good cause;
7. An estimate of the time needed to try the case; and,
8. If scheduled for a jury trial:
 - a. Proposed voir dire questions (*filed as a separate document*);
 - b. Proposed instructions on substantive issues (*filed as a separate document*); and
 - c. A proposed verdict form (*filed as a separate document*).
9. If scheduled for a bench trial, proposed findings of fact and conclusions of law. (See Fed. R. Civ. P. 52).

In addition to completing a pretrial report, counsel are expected to confer and make a good faith effort to settle the case. Counsel are also expected to arrive at stipulations that will save time during the trial.